

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

Randall W. Morrison, Wanda G.)	C.A. No.: 6:09-1330-HFF
Morrison, Judy Hardison, and Ronald F.)	
Lowman,)	
)	
Plaintiffs,)	
)	
vs.)	O R D E R
)	
Condustrial, Inc., Tony Durham, and)	
Condustrial, Inc. Employee Benefit Plan,)	
)	
Defendants.)	

On October 1, 2009, the court stayed the matter *sub judice* at the request of the parties.

That stay expired on December 21, 2009. The parties have now advised the court that they are ready to move forward in the matter *sub judice*. Prior to the stay, the court issued its specialized case management order for ERISA cases. The parties now advise the court that the matter *sub judice* involves a claim for breach of fiduciary duty under ERISA and not a simple benefit claim. Accordingly, disposition by way of the specialized case management order is not appropriate. The parties have asked the court to relieve them of the obligation of complying with the specialized case management order under the circumstances. The court hereby withdraws its specialized case management order and, instead, will issue a scheduling order and the parties are directed to proceed with this matter pursuant to the scheduling order.

WHEREFORE, it is ORDERED, ADJUGED AND DECREED the parties are relieved of the obligation of complying with the court's specialized case management order and are directed to proceed consistent with the scheduling order which the court issues.

AND IT IS SO ORDERED.

s/Henry F. Floyd

The Honorable Henry F. Floyd
United States District Court Judge

Date: January 20, 2010
Spartanburg, SC